## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

YOUNG BROTHERS, LIMITED

Docket No. 2006-0120

For Approval of Tariff Change to ) Eliminate Less Than Container Load ) Service to and from Kahului Harbor ) on the Island of Maui. ) Transmittal No. 06-0001.

## NOTICE OF EVIDENTIARY HEARING

NOTICE IS HEREBY GIVEN that, pursuant to Hawaii Revised Statutes ("HRS") Chapters 271G and 91, as applicable, the STATE OF HAWAII, PUBLIC UTILITIES COMMISSION ("Commission"), will hold an evidentiary hearing on the above-referenced docket, as follows:

DATE:

September 6, 2006\*

TIME:

9:00 a.m.

LOCATION:

Public Utilities Commission

Hearing Room, B-3 Kekuanaoa Building 465 South King Street Honolulu, Hawaii 96813

\*Will continue thereafter until completed, subject to the call of the Chairman.

¹The evidentiary hearing, initially scheduled for July 18, 2006, <u>see</u> Notice of Evidentiary Hearing, dated June 23, 2006, was continued until further notice based on the parties' and participants' agreements to modify the Stipulated Regulatory Schedule. <u>See</u> commission's letter, dated July 18, 2006.

On April 13, 2006, Applicant YOUNG BROTHERS, LIMITED ("Young Brothers") filed its transmittal seeking the Commission's approval to amend its tariff by: (1) discontinuing less than container load ("LCL") service to and from Kahului Harbor on the island of Maui; (2) making other tariff changes to effectuate this proposed discontinuance of LCL service; and (3) making certain other tariff changes for clarity purposes. Young Brothers proposes to discontinue LCL service to and from Kahului Harbor in order to address the critical shortage of made more evident in light of harbor space, the future commencement of water carrier service operations by the Hawaii Superferry in 2007.

The underlying issue to be considered by the Commission at the evidentiary hearing is whether Young Brothers' proposed tariff change to discontinue LCL service to and from Kahului Harbor is just and reasonable. This will include the following sub-issues:

- Whether the proposed tariff change subjects any particular person, locality, region, district, island, or description of tariff to any unjust discrimination or undue or unreasonable prejudice or disadvantage?
- 2. Whether the proposed tariff change supports the need, in the public interest, for adequate and efficient transportation service?
- 3. Whether the proposed tariff change enables Young Brothers, under honest, economical, and efficient management, to provide transportation service?

The commission's review and disposition of the above-referenced issues will necessarily involve the application of HRS Chapter 271G, including HRS §§ 271G-16 and 271G-17.2

Any party may retain legal counsel if the party so desires. An individual may appear on the individual's behalf, or a member of a partnership may represent the partnership, or an officer or authorized employee of a corporation or trust or association may represent the corporation, trust, or association.

KAREN HIGASHI, CHIEF CLERK

DATED: AUG 1 7 2006

 $<sup>^2\</sup>underline{\text{See}}$  also HAR §§ 6-61-94 (water carrier tariff changes); 6-65-5 (water carrier tariff change - posting); 6-65-30 (water carrier tariff changes or revisions); and 6-65-40 (suspension and investigation of a water carrier's tariff or tariff changes).

## CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of the foregoing Notice of Evidentiary Hearing upon the following parties and participants, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party or participant.

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DATED: AUG 1 7 2006